1 THE LAW OFFICES OF RANDOLPH H. GOLDBERG RANDOLPH H. GOLDBERG, ESQ. 2 BAR NO. 5970 3 4000 S. Eastern Avenue, Suite 200 Las Vegas, NV 89119 (702) 735-1500 Fax: (702) 735-0505 5 Attorney for Debtor(s) 6 UNITED STATES BANKRUPTCY COURT 7 **DISTRICT OF NEVADA** 8 In re: Chapter 13 Proceedings Case No.: 09-26038-LBR 9 **ELLIE BALOALOA** 10 Debtor(s). Date: 02/11/2010 11 Time: 2:30 PM 12 13 MOTION TO VALUE COLLATERAL, "STRIP OFF" AND MODIFY RIGHTS 14 OF COUNTRYWIDE HOME LENDING PURSUANT TO 11 U.S.C. §506(a) AND §1322 15 Comes Now the Debtor, ELLIE BALOALOA (hereinafter the "debtor"), by and through 16 THE LAW OFFICES OF RANDOLPH H. GOLDBERG, and respectfully moves this Court 17 pursuant to 11 U.S.C. §506(a), and §1322, and Bankruptcy Rules 3012 and 9014. 18 19 **STATEMENT OF FACTS** 20 1. Debtor filed the instant Chapter 13, Case Number 09-26038 on AUGUST 28, 21 2009. 22 2. As of the date of filing, debtor owned real property located at **7593 GARDEN** 23 24 GALLEY LAS VEGAS Nevada 89139 (hereinafter the "Subject Property"). 25 3. Debtors have obtained a residential appraisal that places the value of the subject 26 property at \$150,000.00. 27 28 4. At the time of filing the instant petition, the Subject Property was subject to

the following liens:

AMERICAS SERVICING CO (First Mortgage): \$259,518.00 COUNTRYWIDE HOME LENDING (Second Mortgage): \$64,933.00

- 5. Therefore, on the date the instant bankruptcy was filed, no equity existed in the Subject Property above the claims of **COUNTRYWIDE HOME LENDING**
 - COUNTRYWIDE HOME LENDING's claim was wholly unsecured on the
 petition date and if the Subject Property was sold at auction COUNTRYWIDE
 HOME LENDING would receive nothing.
- 7. Accordingly, the debtor requests that Your Honor find that US BANK claim is unsecured and should be reclassified as a general unsecured claim to receive pro rata with other general unsecured creditors through the debtor's chapter 13 plan.

LEGAL ARGUMENT

In *In re Zimmer*, 313 F.3d 1220 (9th Cir. 2002), the Court stated that a wholly unsecured lien holder's claim can be modified and reclassified as a general unsecured claim pursunt to 11 U.S.C. §506(a), despite the anti-modification language in §1322(b)(2). Specifically, the Court held:

Section 506(a) divides creditors' claims into "secured...claims" and "unsecured claims." Although the conventional interpretation of "secured" might include any claim in which the creditor has a security interest in the debtor's property, §506(a) makes clear that the status of a claim depends on the valuation of the property. An allowed claim of a creditor secured by a lien on property in which the estate has an interest ... is a secured claim to the extent of the value of such creditor's interest in the estate's interest in such property ... and is an unsecured claim to the extent that the value of such creditor's interest ... is less than the amount of such allowed claim. To put it more simply, a claim such as a mortgage is not a "secured claim"

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to the extent that it exceeds the value of the property that secures it. Under the Bankruptcy Code, "secured claim" is thus a term of art; not every claim that is secured by a lien on property will be considered a "secured claim." Here, it is plain that **COUNTRYWIDE HOME LENDING's** claim for the repayment of its loan is an unsecured claim, because its deed of trust is junior to the first deed of trust, and the value of the loan secured by the first deed of trust is greater than the value of the house.

Accordingly, since **COUNTRYWIDE HOME LENDING's second** mortgage claim is wholly unsecured (in that there is no extant equity above the first mortgage in the Subject Property), the claim should be reclassified by this Court as a general unsecured claim and share in whatever pro rata distribution is being received. **COUNTRYWIDE HOME LENDING** should also be stripped of its secured rights under Nevada State Law since no maintainable security interest in the subject property exists.

Furthermore, the Debtor is not required to file an adversary proceeding to strip the lien of its secured status. Debtor may "strip off" COUNTRYWIDE HOME LENDING's consensual lien by motion. See In re Williams, 166 B.R. 615 (Bankr.E.D.Va.1994), In re Fuller, 255 B.R. 300(Bankr.W.D.Mich.2000), In re Hoskins, 262 B.R. 693 (Bankr.E.D.Mich.2001), In re King, 290 B.R. 641 (Bankr.C.D.Ill. 2003), In re Millspaugh, 302 B.R. 90 (Bankr.D.Idaho 2003), Dickey v. Ben. Fin. (In re Dickey) 293 B.R. 360 (Bankr.M.D.Pa.2003), In re Hill, 304 B.R. 800 (Bankr.S.D.Ohio 2003); In re Sadala 294 B.R. 180 (Bankr.M.D.Fla.2003), In re Fisher, 289 B.R. 544 (Bankr.W.D.N.Y.2003), In re Robert, 313 B.R. 545 (Bankr.N.D.N.Y.2004), In re Bennett, 312 B.R. 843 (Bankr.W.D.Ky.2004).

CONCLUSION

Debtors respectfully request that the court:

- 1. Determine that the first mortgage on the subject property exceeds the value;
- 2. Determine that the **COUNTRYWIDE HOME LENDING second** mortgage claim is a wholly unsecured claim and strip the lien from the subject property pursuant to 11 U.S.C. Section 506(a);
- 3. Reclassify the secured claim filed by **COUNTRYWIDE HOME LENDING** as a general unsecured claim to be paid pro rata in the general unsecured pool of Debtor's Chapter 13 Plan.
- 4. For such other and further relief which the Court deems just and proper.

DATED this / of Janay 2010.

THE LAW OFFICES OF RANDOLPH H. GOLDBERG

By: /s/RANDOLPH GOLDBERG/s/ RANDOLPH H. GOLDBERG, ESQ. 4000 S. Eastern Avenue, Suite 200 Las Vegas, Nevada 89119 Attorney for Debtor(s)

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ced unmodified without written permission, however, Bradford Technologies, Inc. must be acknowledged and credited.

ClickFORMS Appraisal Software 800-622-8727 Page 1 of 13

	Thom 400	Exte	rior-Only (nspe	ction Resi	dential	Annesi	sal Report	- "	ie No. 176	12611132
	There are 189 co	omparable properties cu omparable sales in the s	rrently offered for	sale in	the subject neigh	borhood rai		Sai Keport	2000		
	FEATURE				INIIOTHE DASTIMAN	months ra	noing in sal	e nons 10	0,000		99,999
	Address 7593 Gar	SUBJECT den Galley Street					MPARABI I	SAIF#2	90,0		275,000
	Las Ve	gas, NV 89139		chard	Pine Street	5375	Floating	Flower Avenue	a 7	COMPARABLE	SALE#3 y Moon Stree
	Proximity to Subject		Las Ve	egas,	NV 89139	La La	s Vegas	. NV 89139	" '	Las Venes	y Moon Stree , NV 89139
	Sale Price	S N/A).06 m			0.07 n	ile SF		0.01	mile M/
	Sale Price/Gross Liv. Area	\$ N/A sq. f	1 00 4		142,000 sq. ft.						\$ 158,900
	Data Source(s)		MI S/C		Records		0.96	sq. ft.	s	96.36	so, fr.
	Verification Source(s)				/ tocorus	MI	S/Coun	y Records		MLS/Coun	ty Records
Н	VALUE ADJUSTMENTS Sale or Financing	DESCRIPTION	DESCRIPT	TION	+(-) \$ Adjustmer	DESC	RIPTION	1/1000	+-		
	Concessions						HA	+(-) \$ Adjustme	<u> </u>	ESCRIPTION	+(-) \$ Adjustm
	Date of Sale/Time		No Conces	sions		No Cor	cession	5	No	FHA Concession	
	Location	Robindale Lind.	COE 4/09	9/09	Closed	COE	2/05/09	Closed	1110	OE 1/16/09	
	Leasehold/Fee Simple	Fee Simple	Robindale Fee Simi	LING.		<u> ∟Robino</u>	ale Lind		Ro	bindale Lind	Close
	Site	3,485 sf/CRN	2,614 st/A	Die.		Fee	Simple		_ F	ee Simple	+
	View	Residential	Resident	lei		3,049	st/CRN	ļ	3,0	049 sf/CRN	
	Design (Style)	2 sty/Traditional	2 sty/Tradit	ional		2 sty/Ti	dential aditional		<u></u> F	Residential	
	Quality of Construction Actual Age	Average	Average	8		Ave	rage	 		y/Traditiona	
	Condition	4 years	4 years				ears		 	Average	
	Above Grade	Good Total Bdrms Baths	Good				ood	 	1	4 years Good	
	Room Count	7 3 2.50		Baths		Total Bon	ns. Baths		Total	Borms Baths	
	Gross Living Area	1,649 sq. ft.		2.50		7 3			7	3 2.50	
	Basement & Finished	N/A	1,049 N/A	sq. ft.		1,64			1	649 sq. ff	
S	Rooms Below Grade	N/A	N/A	- 1			/A			N/A	
	Functional Utility	Average	Average	, +		Ave	/A		<u> </u>	N/A	
₹	Heating/Cooling	FWA/Refrigtn.	FWA/Refrig	atn.		FWA/R	efricto			Average	1
Z 1	Energy Efficient Items Garage/Carport	Typical	Typical			Тур				A/Refrigtn. Typical	<u> </u>
ŽΪ	Porch/Patio/Deck	Garage-2 Porch&Patio	Garage-2	2		Gara				arage-2	
ğ	- TOTAL BUILDING	No Fireplace	Similar			Sim				Similar	
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ωlA	djusted Sale Price		Net Adj: 3%			Vet Adj: 2]-	\$ 3,500	1		\$ 0
	Comparables		Gross Adj : 3%	6 \$	148 500 1		I			dj: D%	
ø –	TV Trust Tolo not les	earch the sale or transfe	r history of the su	ubject pr	roperty and comp	rable sales	. If not, exp	ain	31088	Adj: 0%	\$ 158,900
M	ty research did X										
	y research DIO X	did not reveal any prior	sales or transfere	of the s	white amount to	- 41					
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DM	ly research X did	did not reveal any prior o	sales or transfers sales or transfers	of the s	subject property fo	r the three y	ears prior t	the effective date	of this	appraisal.	
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This appraisal report is subject to the scope of work, Intended use, Intended user, definition of market value, statement of assumptions and limiting conditions, and certifications.

SCOPE OF WORK: The scope of work for this appraisal is defined by the complexity of this appraisal assignment and the reporting requirements of this appraisal report form, including the following definition of market value, statement of assumptions and limiting conditions, and certifications. The appraiser must, at a minimum: (1) perform a visual inspection of the exterior areas of the subject property from at least the street, (2) inspect the neighborhood, (3) inspect each of the comparable sales from at least the street, (4) research, verify, and analyze data from reliable public and/or private sources, and (5) report his or her analysis, opinions, and conclusions in this appraisal report.

The appraiser must be able to obtain adequate information about the physical characteristics (including, but not limited to, condition, room count, gross living area, etc.) of the subject property from the exterior-only inspection and reliable public and/or private sources to perform this appraisal. The appraiser should use the same type of data sources that he or she uses for comparable sales such as, but not limited to, multiple listing services, tax and assessment records, prior inspections, appraisal files, information provided by the property owner, etc.

DEFINITION MARKET VALUE: As per Fannie Mae the definition of market value is the most probable price which a properly should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he or she considers his or her own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U. S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone

*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable properly by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concessions but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

STATEMENT OF ASSUMPTIONS AND LIMITING CONDITIONS: The appraiser's certification in this report is subject to the following assumptions and limiting conditions:

- The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title
 to it, except for information that he or she became aware of during the research involved in performing this appraisal. The
 appraiser assumes that the title is good and merketable and will not render any opinions about the title.
- 2. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in this appraisal report whether any portion of the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
- The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand, or as otherwise required by law.
- 4. The appraiser has noted in this appraisal report any adverse conditions (such as needed repairs, deterioration, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the research involved in performing this appraisal. Unless otherwise stated in this appraisal report, the appraiser has no knowledge of any hidden or unapparent physical deficiencies or adverse conditions of the property (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) that would make the property less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied. The appraisar will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraisar is not an expert in the field of environmental hazards, this appraisal report must not be considered as an environmental assessment of the property.
- 5. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that the completion, repairs, or alterations of the subject property will be performed in a professional manner.
- 6. The subject was inspected via an exterior-only inspection from the street, physical observations from the street, information in County Assessor records and information in MLS records (if available) with no physical inspection of neither the interior of the subject's structure nor a complete physical inspection of the exterior of the subject's structure and rear portion of the subject's site and rear and side yards.

APPRAISER'S CERTIFICATION: The Appraiser certifies and agrees that:

- 1. I have, at a minimum, developed and reported this appraisal in accordance with the scope of work requirements stated in this appraisal report.
- 2. I performed a visual inspection of the exterior areas of the subject property from at least the street. I reported the condition of the improvements in factual, specific terms. I identified and reported the physical deficiencies that could affect the livability.
- 3. I performed this appraisal in accordance with the requirements of the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in
- 4. I developed my opinion of the market value of the real property that is the subject of this report based on the sales comparison approach to value. I have adequate comparable market data to develop a reliable sales comparison approach for this appraisal assignment. I further certify that I considered the cost and income approaches to value but did not develop
- 5. I researched, verified, analyzed, and reported on any current agreement for sale for the subject property, any offering for sale of the subject property in the twelve months prior to the effective date of this appraisal, and the prior sales of the subject property for a minimum of three years prior to the effective date of this appraisal, unless otherwise indicated in this report.
- 8. I researched, verified, analyzed, and reported on the prior sales of the comparable sales for a minimum of one year prior to the date of sale of the comparable sale, unless otherwise indicated in this report.
- 7. I selected and used comparable sales that are locationally, physically, and functionally the most similar to the subject property.
- 8. I have not used comparable sales that were the result of combining a land sale with the contract purchase price of a home that
- 9. I have reported adjustments to the comparable sales that reflect the market's reaction to the differences between the subject
- 10. I verified, from a disinterested source, all information in this report that was provided by parties who have a financial interest in
- 11. I have knowledge and experience in appraising this type of property in this market area.
- 12. I am aware of, and have access to, the necessary and appropriate public and private data sources, such as multiple listing services, tax assessment records, public land records and other such data sources for the area in which the property is located.
- 13. I obtained the information, estimates, and opinions furnished by other parties and expressed in this appraisal report from reliable sources that I believe to be true and correct.
- 14. I have taken into consideration the factors that have an impact on value with respect to the subject neighborhood, subject property, and the proximity of the subject property to adverse influences in the development of my opinion of market value. I have noted in this appraisal report any adverse conditions (such as, but not limited to, needed repairs, detenoration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) observed during the inspection of the subject property or that I became aware of during the research involved in performing this appraisal. I have considered these adverse conditions in my analysis of the property value, and have reported on the effect of the conditions on the value and
- 15. I have not knowingly withheld any significant information from this appraisal report and, to the best of my knowledge, all statements and information in this appraisal report are true and correct.
- 16. I stated in this appraisal report my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the assumptions and limiting conditions in this appraisal report.
- 17. I have no present or prospective interest in the property that is the subject of this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or opinion of market value in this appraisal report on the race, color, religion, sex, age, marital status, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property or on any other basis prohibited by law.
- 18. My employment and/or compensation for performing this appraisal or any future or anticipated appraisals was not conditioned on any agreement or understanding, written or otherwise, that I would report (or present analysis supporting) a predetermined specific value, a predetermined minimum value, a range or direction in value, a value that favors the cause of any party, or the attainment of a specific result or occurrence of a specific subsequent event (such as approval of a pending
- 19. It personally prepared all conclusions and opinions about the real estate that were set forth in this appraisal report. If I relied on significant real property appraisal assistance from any individual or individuals in the performance of this appraisal or the preparation of this appraisal report, I have named such individual(s) and disclosed the specific tasks performed in this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in this appraisal report; therefore, any change made to this appraisal is unauthorized and I will take no

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20, I identined the client in this appraisal report who in the indicate	
20. I identified the client in this appraisal report who is the individual, organization ordered and will receive this appraisal report.	Or agent for the green was a
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- 21. I am aware that any disclosure or distribution of this appraisal report by me or the client may be subject to certain taws and regulations. Further, I am also subject to the provisions of the Uniform Standards of Professional Appraisal Practice that pertain to disclosure or distribution by me.
- 22. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.
- 23. The Cost Approach to value was considered but not utilized due to an exterior-only physical inspection of the subject property, resulting in insufficient information available to the appraiser to provide an accurate and meaningful approach to value.
- 24. The Income Approach to value was considered but not utilized as the subject is owner-occupied and located in an area of primarily owner-occupied, single family residences, with typical home buyers within the subject's neighborhood purchasing homes as owner-occupied, single family residences.
- 25. The subject was inspected via an exterior-only inspection from the street, physical observations from the street, information in County Assessor records and information in MLS records (if available) with no physical inspection of neither the interior of the subject's structure nor a complete physical inspection of the exterior of the subject's structure and rear portion of the subject's site and rear and side yards.

SUPERVISORY APPRAISER'S CERTIFICATION: The Supervisory Appraiser certifles and agrees that:

- I directly supervised the appraiser for this appraisal assignment, have read the appraisal report, and agree with the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
- 1 accept full responsibility for the contents of this appraisal report including, but not limited to, the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
- The appraiser identified in this appraisal report is either a sub-contractor or an employee of the supervisory appraiser (or the appraisal firm), is qualified to perform this appraisal, and is acceptable to perform this appraisal under the applicable state law.
- 4. This appraisal report complies with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
- 5. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

APPRAISER	SUPERVISORY APPRAISER (ONLY IF REQUIRED)
Signature Signature	· ·
Name Scott L. Huizenga	SignatureName
Company Name Scott L. Huizenga	
Company Address 3268 Shadow Bluff Avenue	Company Name
Las Vegas, NV 89120	Company Address
Email Address Scotthuizenga@hugayeau	Biephone Number
Date of Signature and Report 5/20/09	- nan Address
Effective Date of Appraisal 5/15/09 State Certification # A 0000783 CD	Date of Signature
State Certification # A.0000783-CR or State License #	State Certification #
State #	
Orace 144	Expiration Date of Certification or License
Expiration Date of Certification or License 9/30/10	
ADDRESS OF PROPERTY APPRAISED	SUBJECT PROPERTY
<u>/593 Garden Gallev Street</u>	
Las Vegas, NV 89139	Did not inspect exterior of subject property
	Lid inspect exterior of subject property from street
APPRAISED VALUE OF SUBJECT PROPERTY \$150,000	Date of Inspection
CLIENT	
Name Randolph H. Goldberg, Esq., P.C.	COMPAGANA
	COMPARABLE SALES
Company Address 4000 S. Eastern Avenue, Suite 200	Did not in
Las Vegas NV 80110	Did not inspect exterior of comparable sales from stree
Email Address randolphgoldberg@yahoo.com	Did inspect exterior of comparable sales from street Date of Inspection

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SUBJECT PHOTO ADDENDUM

File No. 17612611132

Borrower BALOALOA						
Property Address 7593 Garde	n Galley Street					
City Las Vegas	County	Clark	State	NV	Zip Code	89139
Lender/Client Randolph H. G	oldberg, Esg., P.C.	Address	4000 S. Easte	m Avenue. S	uite 200. Las V	egas, NV 89119



FRONT VIEW OF SUBJECT PROPERTY

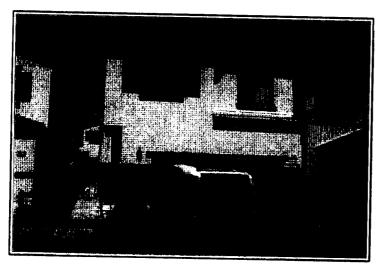


STREET VIEW OF SUBJECT PROPERTY

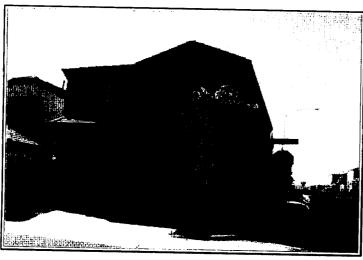
COMPARABLES 1-2-3

File No. 17612611132

BOTTOWER BALOALOA						
Property Address 7593 Gard	en Galley Street					
City Las Vegas	County	Clark	State	NV		
Lender/Client Randolph H. G	oldberg, Esq., P.C.				Zip Code	89139
		7001638	4000 S. Easter	n Avenue, Si	Jite 200. Las ∨	egas NV 89119



COMPARABLE SALE # 7565 Orchard Pine Street Las Vegas, NV 89139



COMPARABLE SALE # 2 5375 Floating Flower Avenue Las Vegas, NV 89139



COMPARABLE SALE # 5 7594 Whiskey Moon Street Las Vegas, NV 89139

Page 8 of 13

ClickFORMS Appraisal Software 800-622-8727

ASSESSOR RECORD

File No. 17612611132

roperty Address 7593 G	arden Galley Street					
ity Las Vegas	County	Clark	State	NV	Zip Code	89139
ender/Client Randolph H	. Goldberg, Esq., P.C.	Address	4000 S. Eastern	Avenue, Su	ite 200. Las \	/egas, NV 891

Parcel a	CLARK 176-12-611-132		ddress] 7593 GARDEN GAL	LEY ST					
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	LOT 165	DOC INFORMATIO								
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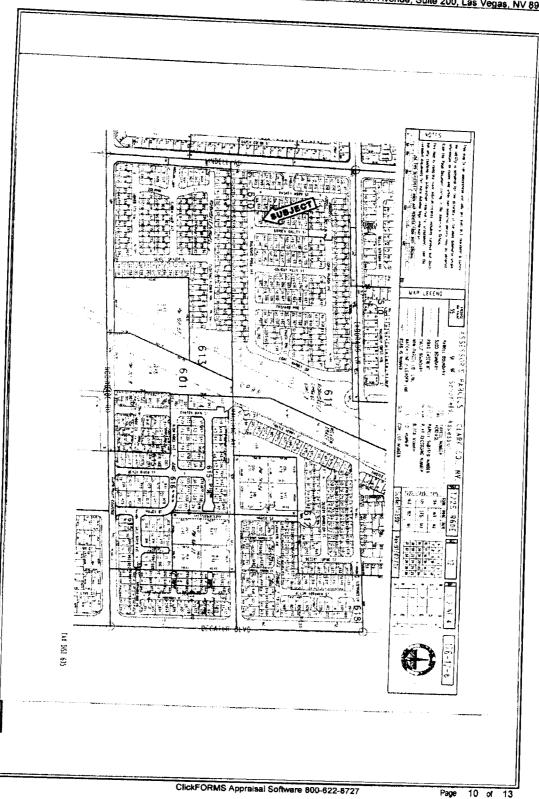
ClickFORMS Appraisal Software 800-622-8727

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PLAT MAP

File No. 17612611132

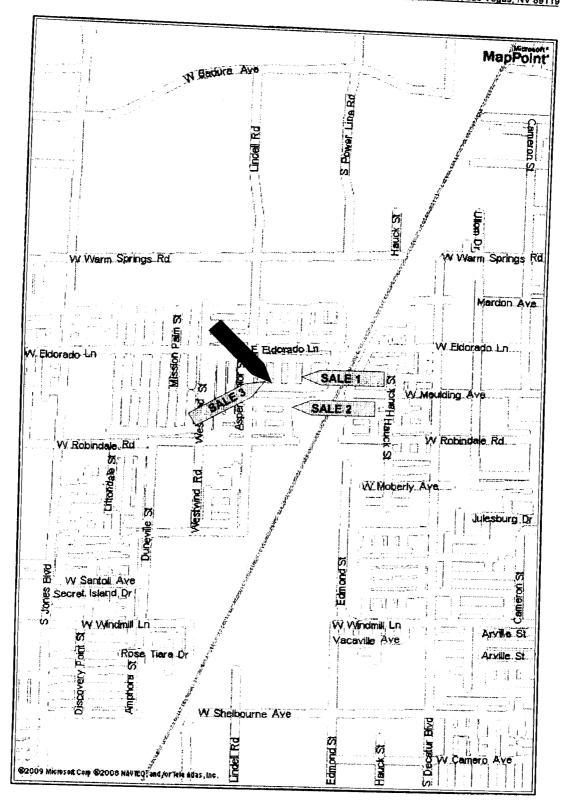
Borrower BALOALOA Property Address 7593 Garden Galley Street City Las Vegas County
Lender/Client Randolph H. Goldberg, Esq., P.C Clark NV Address 4000 S. Eastern Avenue, Suite 200, Las Vegas, NV 89119 Zip Code 89139



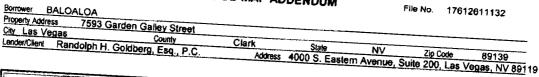
Case 09-26038-lbr Doc 28 Entered 01/11/10 13:49:44 Page 15 of 17

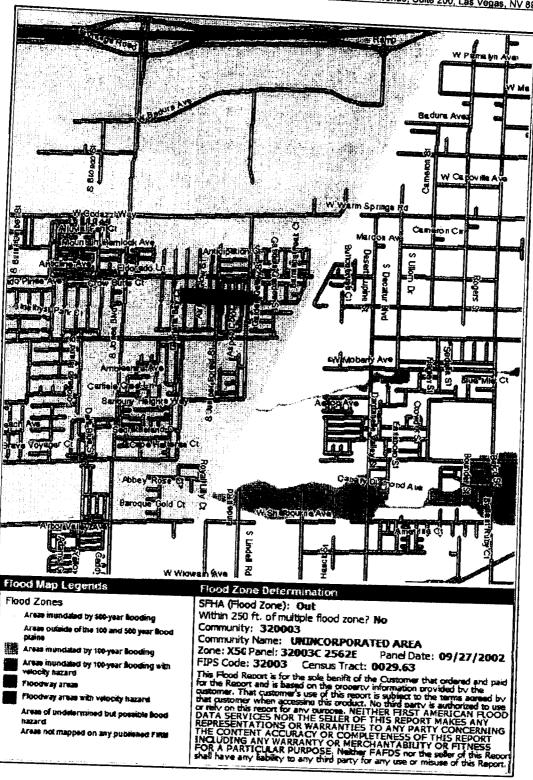
LOCATION MAP ADDENDUM

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Property Address 7593 Condon Call	
Court	
Lender/Client Randolph H. Goldberg Ess. D.C. Clark State NV	
Nerroupii D. Goldberg Ess. D.O. Side NV	ode POLOO
Address 4000 S. Eastern Avenue, Suite 200, L	ode 89139
Suite 200. L	BS VACRE NIV POSED



FLOOD MAP ADDENDUM





RESUME

File No. 17612611132

Borrower BALOALOA						
Property Address 7593 Ga	rden Galley Street					
City Las Vegas	County	Clark	State	NV	Zip Code	89139
Lender/Client Randolph H	Goldberg, Esq., P.C.	Address 4000 S	S. Eastern Avenu	e, Suite 20	0, Las Vegas	NV 89119

Scott L. Huizenga 3268 Shadow Bluff Avenue Las Vegas, Nevada 89120

License:

State of Nevada Department of Commerce

Certified Residential Appraiser, Certificate #A.0000783-CR,

Issued 10/02/08, Expires 9/30/10. Primary market is Clark County, Nevada, encompassing Las Vegas,

North Las Vegas, Henderson, Boulder City, Red Rock Canyon, Blue Diamond, Mountain Springs, Mt. Charleston, Logandale Overton/Moapa, Mesquite, Laughlin, Searchlight, Indian Springs

and Sandy Valley; and Pahrump in Nye County, Nevada.

Experience:

Independent Fee Appraiser and Consultant, from 10/95 to

the present

Partner, MESA Appraisal, from 3/93 to 9/95

Independent fee appraiser with Collins E. Butler & Associates

from 3/93 to 7/93

Independent fee appraiser with Decker & Associates from 4/90 to

6/93

Education:

University of Nevada, Las Vegas

Bachelor of Science, Business/Administration

Major in Accounting, 1981

Real Estate Courses:

Appraisal Institute professional education credit:

-Real Estate Appraising Principles

-Basic Valuation Procedures

-Residential Valuation

-Capitalization Theory & Techniques, Part A -Capitalization Theory & Techniques, Part B

-Valuation Analysis and Report Writing -Case Studies in Real Estate Valuation -Standards of Professional Practice, Part A

-Standards of Professional Practice, Part B

Appraising related, continuing education credit: -Fair Lending & The Appraiser-Fair Lending & Institutional Affiliated Parties

-Practical Overview of Evaluations and Other

Limited Scope Assignments

-Appraisal Regulations, Standards & Ethics

-Real Estate Auctions

-Uniform Standards of Professional Appraisal

Practice (USPAP), Update and Review

-The 29th Annual Litigation Seminar

University of Nevada, Las Vegas courses:

-Principles of Real Estate

-Real Estate Law

Professional Affiliations:

Five Star Appraisers